

# Practice Before the Commission

The Adjudication Division is comprised of the Data Center (formerly known as the Records Department) and the Regulatory Law Judges. The Division Director is both the Secretary of the PSC and the Chief Regulatory Law Judge. The Secretary is statutorily responsible for the records of the PSC and is specifically called upon to superintend the issuance of all PSC orders.



*PSC Data Center employees, (center & right) Debbie Steck and Melissa Anderson, handle all the filings and records of the commission. Behind them, Michelle Schwartze reviews a tariff filing.*

The Data Center is responsible for maintaining a complete and accurate record of every case which comes before the PSC. This department receives thousands of documents per month, each one of which must be reviewed, distributed and maintained in the permanent case file. The Data Center also issues hundreds of formal orders each month.

The Chief Judge is the Division Director of the Adjudication Division and acts as the Chief Judge of the nine-judge panel. The Judges receive training at the National Judicial College for procedural skills specific to the PSC and also at various utility seminars and

conferences for substantive training in the disciplines of economics, accounting and engineering as they relate to the regulated utilities. The Chief Judge assigns newly filed cases to the other Judges on a rotational basis and, thereafter, the individual judge is responsible for supervising that particular case and coordinating the procedures with the Commissioners.

The Judge prepares and issues preliminary orders to provide notice and procedural due process so that all parties have the opportunity for a full, fair and informative hearing. The primary concern for the Judge is to ensure a complete and competent record is compiled upon which the PSC may base its decision. It is the duty of the Judge to take the case from initial assignment all the way through to the post hearing briefs and preparation of a final order based upon the record which resolves the issue.

## Mediation Process

The Adjudication Division has developed a mediation process whereby parties may refer complaint cases to a third-party neutral mediator. This service is offered, at no cost, by the Alternative Dispute Resolution Center at the University of Missouri-Columbia School of Law, which was recently ranked the number one mediation center in the United States.

The mediation process is voluntary, and cases are resolved when both parties come to a mutual agreement. This process does not require legal counsel and should be less expensive, less adversarial, less formal, less time-consuming and more personal than a formal evidentiary hearing before the full PSC.

Mediations are confidential and settlement offers as well as other disclosures made during a mediation session are generally not admissible at a later hearing or trial.

## Chapter 2

This portion of State Regulations contains the Missouri PSC's rules and the procedural require-

ments for pleading and practice before the PSC. These are the “rules of court,” for practice before the PSC and contain filing requirements, evidentiary rules, as well as many other procedural rules and requirements for contested cases and for rulemaking procedures. The PSC has worked to reduce the filing burden on all parties who appear before the PSC. In several places the filing requirements have been reduced so that the amount of paper filed with the PSC has been significantly reduced. In addition, this chapter is filed and has been published by the Missouri Secretary of State.



*Chief Regulatory Law Judge Dale Roberts consults with Research Attorney- Law Clerk Aimee D. G. Davenport to clarify a Missouri utility statute in preparation for an upcoming order.*

## List Serve

On May 1, 1999, the Adjudication Division initiated an interactive mail delivery service (generically referred to in computer circles as a “list-serve”) for the purpose of delivering the PSC Agenda, hearing schedule(s), orders and other documents to various interested parties. This service provides free access to visitors by providing a Web-based email list management system. The software collects visitor email addresses automatically, sends email to all pre-subscribed parties on the mailing list with just one click, manages the mailing list and conveniently stores all issued messages for reference or re-use. This allows the Adjudication Division to

ensure mass, and immediate, electronic distribution of any order, notice or other document to all recipients and eliminates the delay and cost which is inherent in regular delivery of the paper copy. Any interested person may subscribe to this service, at no cost, by visiting the PSC’s web page at:

<http://www.psc.state.mo.us/>.



*Commissioner Connie Murray and Regulatory Law Judge Kevin Thompson (seated at center table), listen to testimony at a PSC public hearing.*